REMARKS

Reconsideration of this application is respectfully requested.

Claims 1-81 are pending in the application. Claims 1-81 have been rejected.

Claims 1, 3, 4, 7-12, 16, 24, 25, 27-48, 56, 57, 59-64, 67, 68, 71, 72, 75, 76, 79, and 80 have been amended. No new matter has been added.

The disclosure has been objected to because the numeric references for each block for Figures 3 and 4 are unclear. Paragraphs [0021] and [0022] have been amended in accordance with the Examiner's suggestion. For example, in paragraph [0021], the switch 122 then sends the message to a router 106 in the LAN at block 310. Applicants respectfully request withdrawal of the objection to the specification.

Claims 33-48 have been rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. The Examiner considers a machine-readable storage medium to be non-statutory subject matter in claims 33-48 because the specification reads as follows.

> Alternatively, the logic to perform the methods as discussed above, could be implemented by additional computer and/or machine readable media, such as discrete hardware components as large-scale integrated circuits (LSI's), application-specific integrated circuits (ASIC's), firmware such as electrically erasable programmable read-only memory (EEPROM's); and electrical, optical, acoustical and other forms of propagated signals (e.g., carrier waves, infrared signals, digital signals, etc.); etc.

(paragraph [0027]).

The Examiner considers the propagated signals to be per se non-statutory subject matter. Independent claim 33, as amended, includes the limitation "A machine-readable tangible storage medium tangibly embodying a sequence of instructions

executable by the machine to perform a method ..." Support for the amendment is found in the specification as filed. Paragraph [0026] discloses instructions to perform the method described above that could alternatively be stored on other forms of machine-readable media, including magnetic and optical disks. Paragraph [0027] discloses that logic performs the methods as discussed above with the logic being implemented by additional computer and/or machine readable media. The electrical, optical, acoustical and other forms of propagated signals are listed as a type of machine readable media along with LSI's, ASIC's, and firmware. However, these propagated signals are not a type of tangible, storage medium. Thus, a machine-readable tangible storage medium does not include propagated signals. Accordingly, applicants respectfully request withdrawal of the rejection of claim 33 under 35 U.S.C. § 112, second paragraph.

Claims 34-48 have been amended in a manner similar to claim 33. For similar reasons as stated above, applicants respectfully request withdrawal of the rejection of claims 34-48 under 35 U.S.C. § 101.

Claims 3, 4, 7-12, 24, 25, 27-32, 40, 41, 43-48, 56, 57, 59-64, 67, 68, 71, 72, 75, 76, 79, and 80 have been rejected under 35 U.S.C. § 112, second paragraph, for having an insufficient antecedent basis. Claims 3, 4, 9-12, 24, 25, 27-32, 40, 41, 43-48, 56, 57, 59-64, 67, 68, 71, 72, 75, 76, 79, and 80 have been rejected for reciting the limitation "the appended message" without having a sufficient antecedent basis. Claims 3, 4, 9-12, 24, 25, 27-32, 40, 41, 43-48, 56, 57, 59-64, 67, 68, 71, 72, 75, 76, 79, and 80 have been amended to include the limitation "the message." Independent claims 1, 17, 33, 49, 65, and 73 include the limitation "a message." Given that the dependent claims 3, 4, 9-12, 24, 25, 27-32, 40, 41, 43-48, 56, 57, 59-64, 67, 68, 71, 72, 75, 76, 79, and 80

depend upon one of the corresponding independent claims 1, 17, 33, 49, 65, and 73 which provide an antecedent basis for the limitation "the message", applicants respectfully request withdrawal of the rejection of claims 3, 4, 9-12, 24, 25, 27-32, 40, 41, 43-48, 56, 57, 59-64, 67, 68, 71, 72, 75, 76, 79, and 80 under 35 U.S.C. § 112, second paragraph.

Claim 7 has been rejected for reciting the limitation "the router" without having a sufficient antecedent basis. Independent claim 1 has been amended to include the limitation "a router." Given that the dependent claim 7 depends upon independent claim 1 which provides an antecedent basis for the limitation "the router," applicants respectfully request withdrawal of the rejection of claim 7 under 35 U.S.C. § 112, second paragraph.

Claim 8 has been rejected for reciting the limitation "the switch" without having a sufficient antecedent basis. Independent claim 1 has been amended to include the limitation "a switch." Given that the dependent claim 8 depends upon independent claim 1 which provides an antecedent basis for the limitation "the switch," applicants respectfully request withdrawal of the rejection of claim 8 under 35 U.S.C. § 112, second paragraph.

Claims 33-48 have been rejected under 35 U.S.C. § 112, second paragraph, for being ambiguous because it is unclear whether claim 33 is directed to a machine-readable storage medium storing instructions for performing a plurality of operations or a method comprising a plurality of steps. Claim 33, as amended, includes the limitation "A machine-readable tangible storage medium tangibly embodying a sequence of instructions executable by the machine to perform operations comprising..." Given that

amended claim 33 is clear, applicants respectfully request withdrawal of the rejection of claim 33 and dependent claims 34-48 under 35 U.S.C. § 112, second paragraph.

Claims 1-81 have been rejected under 35 U.S.C. § 102(a) as being anticipated by the relevant subject matter of the paper entitled "Cisco Publication: Frame Relay ELMI Address Registration" by Cisco, posted on December 6, 2000 (hereinafter "Cisco Document"). The Office Action dated June 6, 2006 describes the relevant subject matter of the Cisco Document. The Cisco Document allegedly qualifies as prior art under 35 U.S.C. §102(a) because the alleged effective date of December 06, 2000 of the Cisco Document is earlier than the applicant's filing date of August 02, 2001.

Applicants are submitting herewith separate Declarations under 37 C.F.R. §1.132 of inventors Madhu Rao and Srikanthkumar Hosakote to establish that the subject matter of the Cisco Document was derived from the applicants rather than being invented by the author of the Cisco Document. Exhibits are attached to the Declarations of Madhu Rao and Srikanthkumar Hosakote.

The declarations of the applicants describe the documentation process to generate configuration and product guides (e.g., Cisco Document) at Cisco Technology, Inc. Exhibit C is an ELMI Protocol Document entitled "IP Address/ IfIndex Registration Using ELMI protocol on the UFM Card" (hereinafter "ELMI Protocol Document"). The relevant dates in Exhibit C have been redacted as permitted by MPEP § 715.07.II. The relevant subject matter of the ELMI Protocol Document was invented by the applicants. The ELMI Protocol Document was prepared and dated prior to December 6, 2000.

The applicants provided the ELMI Protocol Document to the documentation writers in accordance with the documentation process at Cisco Technology, Inc., which

is a subsidiary of Cisco Systems, Inc. Max Anderson was the documentation person who authored the Cisco Document per page 7 of the ELMI-Address registration Program Plan (EDCS-49176) which has been attached as Exhibit D. The relevant dates in Exhibit D have been redacted as permitted by MPEP 715.07.II.

The applicants declare that the Cisco Document was derived from the relevant subject matter of the ELMI Protocol Document, Exhibit C. For example, the feature overview (page 2) of the Cisco Document was derived from the introduction (page 5) of Exhibit C.

Exhibit F is an Invention Disclosure Document entitled "Neighbor Discovery Using Address Registration protocol running over ELMI" (hereinafter "Invention Disclosure Document") describing embodiments of the above-referenced application. The relevant dates have been redacted from Exhibit F. The Invention Disclosure Document discusses advantages of implementing the ELMI-AR protocol on the UFM frame relay card and neighbor Cisco IOS. The Invention Disclosure Document further discusses how Cisco products that provide network management solutions will use the ELMI-AR feature to provide complete network discovery. As evidenced by the Invention Disclosure Document, the ELMI-AR protocol was conceived prior to December 06, 2000.

The Declarations set forth facts sufficient to show derivation of the Cisco Document from the applicants. The Declarations set forth facts sufficient to show conception and invention of the subject matter of the above-referenced application prior to December 6, 2000. Therefore, the Cisco Document is not available as prior art under
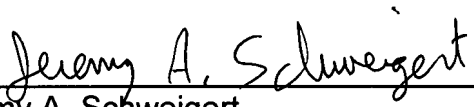
35 U.S.C. §102(a). Accordingly, it is requested that the rejection of claims 1-81 under

35 U.S.C. §102(a) as being anticipated by the Cisco Document be withdrawn.

It is respectfully submitted that in view of the amendments and remarks set forth

herein, the rejections and objections have been overcome. If there are any additional

charges, please charge them to our Deposit Account No. 02-2666.

Respectfully submitted,

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